HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.10903 OF 2006
Dated:15.06.2006

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Saleema Begum

…Petitioner

The Station House Officer, Bhongir Police Station,
Nalgonda and another.

…Respondents

HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.10903 OF 2006

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ORAL ORDER: **(per Hon'ble Sri Justice D.S.R.Varma)**

Heard the learned Assistant Government Pleader, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the basis of a telegram, dated 26.05.2006, said to have been sent by one Saleema Begum, resident of Nalgonda District, *inter alia*, complaining that her brother by name Nayemuddin was illegally detained by Bhongir Police, Nalgonda District.

3. After receipt of notice from this Court, the first respondent- Sub-Inspector of Police, Bhongir Rural Police Station, Nalgonda District, filed counter-affidavit *inter alia* stating that the alleged detenu was not required in any case pending investigation with the said Police Station; that after causing enquiry with all the Police Stations in Nalgonda District as well as other Districts, they

came to know that the alleged detenu was not apprehended either by Nalgonda Police or Cyberabad Police either on 26.05.2006 or on any other subsequent date. It is further stated that the alleged detenu is native of Bhongir Town and has been moving freely and the same was brought to the notice of the Mandal Executive Magistrate, Bhongir, who recorded the statement of the alleged detenu, wherein the alleged detenu stated that he is residing along with his sister at Hyderabad and is moving freely. The said statement of the alleged detenu has been made part of the record.

4. In view of the aforesaid circumstances, we have no hesitation to hold that the alleged detenu was not arrested by the Police at all and only on the basis of some apprehension, the telegram seems to have been sent by somebody other than the petitioner.

5. Therefore, having regard to the facts and circumstances of the case stated in the counter-affidavit of the first respondent, we do not find any merit in this writ petition and the same is liable to be closed.

6. Accordingly, the writ petition is closed at the stage of admission.

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D.S.R.VARMA, J

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P.SWAROOP REDDY, J

15TH JUNE 2006

DR